

May 15, 2002

AN ORDINANCE

BY: TRANSPORTATION COMMITTEE

02- 0 -0718

AN ORDINANCE TO AMEND CODE OF ORDINANCES, PART II - GENERAL ORDINANCES, CHAPTER 150 TRAFFIC AND VEHICLES, ARTICLE IV, STOPPING, STANDING AND PARKING, DIVISION 4. RESIDENTIAL PERMIT PARKING AND FOR OTHER PURPOSES.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, as follows:

SECTION 1. That Code of Ordinances, Part II - General Ordinances, Chapter 150 Traffic and Vehicles, Article IV, Stopping, Standing and parking, Division 4, Residential Permit Parking, be deleted and a new Code of Ordinances, Part II - General Ordinances, Chapter 150 Traffic and Vehicles, Article IV, Stopping, Standing and parking, Division 4, Residential Permit Parking be substituted in lieu thereof as follows:

Section 150-146. Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except when the context clearly indicates a different meaning:

Area of Influence means a circular area of 1000 feet minimum and 3000 maximum feet radius. It is measured from the core of an established traffic generator.

Block face means that portion of one side of a street located between an intersecting street and the next occurring side street or between the termination of a street and the first occurring side street.

Commuter vehicle means a motor vehicle, parked in a residential area, which is not registered to or operated by a resident of such area.

Curb parking space means a 24-foot-long section of street, adjacent to the curb or edge or roadway, where a motor vehicle may lawfully park.

Residential area means a contiguous or nearly contiguous area containing public roadways which are primarily abutted by residential property and non-business property, such as parks, churches and schools.

Residential Parking Permit time means the time during which 33% or more of the commuters are competing for the available curb spaces.

Street address means the lot number assigned to a lot of record as shown on the official tax maps of the city.

Traffic generator means an area which generates non-residential traffic. This includes employment areas; college and universities; medical centers; retail and entertainment areas and transit areas.

Section 150-147. Program established.

There is established a residential permit parking program whereby motor vehicles bearing a special parking permit issued pursuant to this division may be parked in excess of the time limits posted on streets within certain areas known as residential permit parking areas. Parking a motor vehicle on a street within a residential permit parking area shall be restricted to a two-hour period for an established 8 hour period in the vicinity of the traffic generator unless the motor vehicle displays such valid parking permit.

Section 150- 148. Petition required.

- a. Residents of a residential area who desire to have such area designated as a residential permit parking area shall submit to Traffic and Transportation a petition requesting such designation. To warrant consideration, the requests must be supported by the signature of one adult resident from 70 per cent or more of the residences within the area, provided only one signature shall be allowed for each street address. Apartment buildings and other multiple-family dwellings shall be considered as one residence and shall be limited to one signature, which shall be the signature of the property owner or the signature of a person who is legally authorized to sign on behalf of the owner.
- b. The petition shall clearly define the boundaries of the proposed residential permit parking area.
- c. The petition shall identify a resident petition coordinator and shall conform in form and content with requirements established by Traffic and Transportation.

- d. Upon receipt of a petition referred to in this section, Traffic and Transportation shall undertake evaluations and studies as needed to determine whether such residential area is eligible for designation as a residential permit parking area.

Section 150-149. Eligibility of area.

- a. In establishing the eligibility of a proposed residential permit parking area, Traffic and Transportation shall consider the following factors:

- (1) The availability of off-street parking including but not limited to driveways, garages, and other types of parking facilities for residents.
- (2) The residential area proposed for designation as a residential permit parking area shall be restricted to the Area of Influence.
- (3) Residents of a residential area who desire to have such area designated as a residential permit parking area shall submit to Traffic and Transportation a petition requesting such designation. To warrant consideration, the petition must be supported by the signature of one adult resident from 70 percent or more of the residences within the Area of Influence.

Only one signature shall be allowed for each street address. Apartment buildings and other multiple-family dwellings shall be considered as one residence and shall be limited to one signature, which shall be the signature of the property owner or the signature of a person who is legally authorized to sign on behalf of the owner.

- (a) Traffic and Transportation shall clearly define the boundaries of the proposed residential permit parking area and this shall be stated on the petition.
- (b) The petition shall identify a resident petition coordinator and shall conform in form and content with requirements established by Traffic and Transportation.
- (c) Upon receipt of a request, Traffic and Transportation shall undertake evaluations and studies as needed to determine whether such residential area is eligible for designation as a residential permit parking area.
- (4) Studies of parking characteristics within the Area of Influence must show that, during the time period of the proposed restrictions, curb parking space occupancy exceeds 75 percent and commuter vehicles represent at least 33 percent of the parked vehicles.

- (5) For the designated Area of Influence to meet residential parking program requirements, it must receive at least 70 points based on a combination of lack of off-street parking, percentage of commuters and occupied parking spaces. Traffic & Transportation shall develop the point system.
- (6) Designation of the area as a residential permit parking area will result in one or more of the following expectations for the area:
 - (a) A reduction in commuter vehicles and the accompanying energy waste and air pollution.
 - (b) A reduction in total vehicle miles traveled.
 - (c) A reduction in traffic congestion and illegal parking.
 - (d) An improvement in vehicular and pedestrian safety.
- b. Having determined that the requirements for a residential permit parking area are met, Traffic and Transportation shall assign an appropriate and unique identification letter to the area and shall notify the petition coordinator that the area has been approved as a residential permit parking area.

Section 150-150. Application for permit.

- a. The application for a resident parking permit shall provide the name of the owner or operator of the motor vehicle to be permitted; the residential address; the operator's state driver's license number; the motor vehicle make, model and license number; and other information requested on the application form. The applicant shall provide proof of residency as required by the Traffic and Transportation.
- b. Visitor permits shall require no written application except as provided in section 150-153(3); however, Traffic and Transportation may require that previously issued and used permits be surrendered prior to replacement.

Section 150-151. Permit terms; fees.

- a. All resident parking permits issued for a discrete residential permit parking area shall have a common expiration date. Full-term permits shall be valid for two years.
- b. The permit fee shall be \$12.00 for a permit issued one year or more from the expiration date.

- c. The permit fee shall be \$6.00 for a permit issued less than one year from the expiration date.

Section 150-152. Issuance of permits.

Following approval of a residential permit parking area, Traffic and Transportation shall issue resident permits and visitor permits as follows:

- a. Each residential permit parking area shall have a unique permit expiration date, and permits shall be renewed every two years. A permit shall be issued only to a motor vehicle owner or operator who resides on property fronting on a block face located within the residential permit parking area. Upon application and payment of the applicable fee, resident permits shall be issued in accordance with the following limitations:
 - (1) Two residential permits may be issued for each valid street address which consists of one residential structure containing only one dwelling unit.
 - (2) One resident permit may be issued for each legally constituted and existing dwelling unit in any two-family or multiple-family dwelling facility at a valid street address within the residential permit parking area. This includes apartments, condominiums, attached dwellings, row houses, town houses and the like.
- b. Upon request, two visitor permits may be issued without charge to the recipient of a resident permit, and such visitor permits may be renewed or replaced in accordance with procedures established by the director.
- c. A resident of a residential permit parking area who is eligible for a resident permit but does not apply for such permit may be issued two visitor permits by making application as provided in subsection (1) of this section and omitting information which is not applicable. No fee shall be charged for such visitor permits.

Section 150-153. Permit form and display.

- a. The resident parking permit shall be a decal and shall be affixed only to the motor vehicle for which it was issued. The decal shall be permanently attached to the inside lower corner of the rear window, driver's side, and must be clearly visible from outside the vehicle. Information shown on the permit decal shall include but not be limited to the residential permit parking area identification letter, the permit number and the expiration date.

- b. The visitor permit shall be a temporary permit designed for use by transient visitors and guests of residents of a residential permit parking area. Except as provided in subsection (c) of this section, each visitor permit shall be valid for 15 days and shall provide all the rights and privileges of a resident permit. The visitor permit shall be of a form and shall be displayed as determined by Traffic and Transportation.
- c. Traffic and Transportation may issue a temporary permit, valid for not more than one year, for a vehicle operated by a person who provides health care services or other essential services on a regular basis at an address within a residential permit parking area. Such temporary permit shall be a visitor permit bearing special validation and which is issued by Traffic and Transportation upon satisfactory proof of need presented by the resident at such address. A temporary permit shall not be issued for use by a person who provides services for a commercial activity conducted at a residence.
- d. A vehicle bearing a resident permit for one residential permit parking area may display a visitor permit for a different residential permit parking area when the vehicle is in a valid visitor status within the area identified on the visitor permit.

Section 150-154. Uniformity of parking regulations.

Within each discrete residential permit parking area there shall be uniform parking regulations applied to all locations where parking is allowed. Upon approval of a residential permit parking area, Traffic and Transportation shall have parking regulation signs installed within the area indicating the time, location and conditions under which parking in excess of two hours shall be by permit only.

Section 150-155. Adding or removing block faces.

- a. All block faces of a discrete residential permit parking area shall have identical parking regulations where parking is allowed, and such regulations shall not be removed or modified on individual interior block faces.
- b. Traffic and Transportation may add or remove block faces along the boundaries of a residential permit parking area upon receipt of a petition in which more than 50 percent of the residences request such action. The petition shall conform to section 150-149.

- c. Eligibility for a block face to be added to or removed from a residential permit parking area shall be determined by the director, who shall, to the extent possible, avoid approving changes which will create an isolated block face, which is considered as one which:
 - (1) Is not across the street from a residential permit parking area block face for its entire length; or
 - (2) Neither end of the block face is connected to an existing residential permit parking area block face by a continuous curb or edge of roadway.
- d. During the initial process of approving a residential permit parking area or as related to the addition or removal of block faces, Traffic and Transportation may determine the appropriate status for any block face abutting a park or other property which has no street address or which has no resident qualified to sign a related petition.

Section 150-156. Termination of parking area.

Upon receipt of an appropriate petition signed by a representative of 50 percent or more of the qualified street addresses, as identified in section 150-149(a), the city will terminate residential permit parking area subject to the following conditions:

- a. The parking regulations which will replace those installed as provided in section 150-147, must be determined on a block-by-block basis by consultations between Traffic and Transportation and the affected residents prior to the termination of the residential permit parking area. The final determination shall be made by Traffic and Transportation.
- b. The city shall not refund any fees which residents have paid for permits, as provided for in section 150-152, as a consequence of the termination of a residential permit parking area.
- c. Any street section which has been part of a residential permit parking area and which is subsequently terminated under this section shall be ineligible for inclusion in a future residential permit parking area for a period of 24 months after such termination.

Section 150-157. Limitation on permit use.

A motor vehicle which displays a valid resident parking permit or visitor permit shall be allowed to stand or park in the residential permit parking area for which the permit has been issued without being limited by the two-hour time restriction established in this division. Such permits shall not authorize a motor vehicle to stand or park in any place where or during any time when the stopping, standing or parking of a motor vehicle is prohibited or the area is designated for other uses.

Section 150-158. Penalties for violations.

- a. It shall be unlawful and a violation of this division for a person to furnish false information in an application for any permit authorized by this division or to represent falsely that such person is eligible for such permit.
- b. A person holding a valid parking permit issued pursuant to this division shall not allow the use or display of such permit on a vehicle other than that for which the permit was issued. Such conduct shall be unlawful and a violation of this division both by the person holding the valid permit and the person who so uses or displays the permit improperly.
- c. It shall be unlawful and a violation of this division for a person to produce or display a facsimile or counterfeit parking permit in order to evade time limitations on parking in a residential permit parking area.
- d. Violation of this section shall constitute an offense and shall be punishable as provided under section 1-8.

SECTION 2. That all ordinances and parts of ordinances in conflict herewith be and the same are hereby repealed.

TRANSMITTAL FORM FOR LEGISLATION

To: Greg Pridgeon, Office of the Mayor

From: Department of Public Works

Contact (Names): José Banda *JB*
404-330-6501

Commissioner's Signature: *Harvey P. Reed*

Manager's Signature: *[Signature]*

Committee(s) of Purview: Transportation

Committee Deadline: 04/29/02

Committee Meeting Date(s): 05/15/02 & 05/29/02 **City Council Meeting Date:** 05/20/02

CAPTION: AN ORDINANCE TO AMEND CODE OF ORDINANCES, PART II - GENERAL ORDINANCES, CHAPTER 150 TRAFFIC AND VEHICLES, ARTICLE IV, STOPPING, STANDING AND PARKING, DIVISION 4. RESIDENTIAL PERMIT PARKING AND FOR OTHER PURPOSES.

BACKGROUND/PURPOSE/DISCUSSION: The purpose of this legislation is to ensure that residential parking permit programs are established only when needed with maximum efficiency and effectiveness. The program is specifically designed to provide relief for residents who compete with non-residents for the use of the available on-street parking supply.

FINANCIAL IMPACT (if any): To successfully implement the tasks outlined in the legislation, a video camera at an approximate cost of \$1.500 is needed.

Also, in order to conduct the necessary surveys, a minimal amount of engineering technician level overtime will be needed.

Mayor's Staff Only

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Received by Mayor's Office: 4-25-02

(Date)

Reviewed by: _____

(Initials)

(Date)

Submitted to Council: _____

(Date)

Action by Committee: Approved _____ Adversed _____ Held _____ Amended _____

Substitute _____ Referred _____ Other _____

CODE OF ORDINANCES
PART II --GENERAL ORDINANCES
Chapter 150 TRAFFIC AND VEHICLES
ARTICLE IV. STOPPING, STANDING AND PARKING
DIVISION 4. RESIDENTIAL PERMIT PARKING

DETAILS OF REVISIONS

Red = New

Blue = Section Number Change

~~Strikethrough~~ = Delete

Section 150-146. Definitions.

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Commuter vehicle means a motor vehicle, parked in a residential area, which is not registered to or operated by a resident of such area.

Curb parking space means a 24-foot-long section of street, adjacent to the curb or edge or roadway, where a motor vehicle may lawfully park.

~~Director means the director, bureau of traffic and transportation.~~

Residential area means a contiguous or nearly contiguous area containing public roadways which are primarily abutted by residential property and non-business property, such as parks, churches and schools.

Residential Parking Permit time means the time during which 33% or more of the commuters are competing for the available curb spaces.

Street address means the lot number assigned to a lot of record as shown on the official tax maps of the city.

Traffic and Transportation means the Traffic and Transportation Division.

Traffic generator means an area which generates non-residential traffic. This includes employment areas; college and universities; medical centers; retail and entertainment areas and transit areas.

Section 150-147. Program established.

There is established a residential permit parking program whereby motor vehicles bearing a special parking permit issued pursuant to this division may be parked in excess of the time limits posted on streets within certain areas known as residential permit parking areas. Parking a motor vehicle on a street within a residential permit parking area shall be restricted to a ~~consecutive two-hour period between 8:00 a.m. and 5:00 p.m., Monday through Friday, and between 10:00 a.m. and 11:00 p.m. on Saturdays, Sundays and holidays,~~ two-hour period for an established 8 hour period in the vicinity of the traffic generator unless the motor vehicle displays such valid parking permit.

Section 150- 148. Petition required.

- a. Residents of a residential area who desire to have such area designated as a residential permit parking area shall submit to ~~the Director~~ Traffic and Transportation a petition requesting such designation. To warrant consideration, the requests must be supported by the signature of one adult resident from 70 per cent or more of the residences within the area, provided only one signature shall be allowed for each street address. Apartment buildings and other multiple-family dwellings shall be considered as one residence and shall be limited to one signature, which shall be the signature of the property owner or the signature of a person who is legally authorized to sign on behalf of the owner.
- b. The petition shall clearly define the boundaries of the proposed residential permit parking area.
- c. The petition shall identify a resident petition coordinator and shall conform in form and content with requirements established by ~~the Director~~ Traffic and Transportation.
- d. Upon receipt of a petition referred to in this section, ~~the Director~~ Traffic and Transportation shall undertake evaluations and studies as needed to determine whether such residential area is eligible for designation as a residential permit parking area.

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- (c) Upon receipt of a request, shall undertake evaluations and studies as needed to determine whether such residential area is eligible for designation as a residential permit parking area.

~~(4) If parking limitations as restrictive as or more restrictive than the two-hour parking limit established by section 150-147 exist to reduce commuter vehicle parking and such limitations have been in place for more than six months, the criteria in subsection (a)(3) of this section will be assumed satisfied.~~

- (4) Studies of parking characteristics within the Area of Influence must show that, during the time period of the proposed restrictions, curb parking space occupancy exceeds 75 percent and commuter vehicles represent at least 33 percent of the parked vehicles.

(5) Designation of the area as a residential permit parking area will result in one or more of the following expectations for the area:

(a) A reduction in commuter vehicles and the accompanying energy waste and air pollution.

(b) A reduction in total vehicle miles traveled.

(c) A reduction in traffic congestion and illegal parking.

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a. The application for a resident parking permit shall provide the name of the owner or operator of the motor vehicle to be permitted; the residential address; the operator's state driver's license number; the motor vehicle make, model and license number; and other information requested on the application form. The applicant shall provide proof of residency as required by the ~~the Director~~ Traffic and Transportation.

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 - (2) One resident permit may be issued for each legally constituted and existing dwelling unit in any two-family or multiple-family dwelling facility at a valid street address within the residential permit parking area. This includes apartments, condominiums, attached dwellings, row houses, town houses and the like.
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- b. The visitor permit shall be a temporary permit designed for use by transient visitors and guests of residents of a residential permit parking area. Except as provided in subsection (c) of this section, each visitor permit shall be valid for 15 days and shall provide all the rights and privileges of a resident permit. The visitor permit shall be of a form and shall be displayed as determined by ~~the Director~~ Traffic and Transportation.
- c. ~~The Director~~ Traffic and Transportation may issue a temporary permit, valid for not more than one year, for a vehicle operated by a person who provides health care services or other essential services on a regular basis at an address within a residential permit parking area. Such temporary permit shall be a visitor permit bearing special validation and which is issued by ~~the Director~~ Traffic and Transportation upon satisfactory proof of need presented by the resident at such address. A temporary permit shall not be issued for use by a person who provides services for a commercial activity conducted at a residence.
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Within each discrete residential permit parking area there shall be uniform parking regulations applied to all locations where parking is allowed. Upon approval of a residential permit parking area, ~~the Director~~ Traffic and Transportation shall have parking regulation signs installed within the area indicating the time, location and conditions under which parking in excess of two hours shall be by permit only.

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- b. The city shall not refund any fees which residents have paid for permits, as provided for in section 150-152, as a consequence of the termination of a residential permit parking area.
- c. Any street section which has been part of a residential permit parking area and which is subsequently terminated under this section shall be ineligible for inclusion in a future residential permit parking area for a period of 24 months after such termination.

Section 150-157. Limitation on permit use.

A motor vehicle which displays a valid resident parking permit or visitor permit shall be allowed to stand or park in the residential permit parking area for which the permit has been issued without being limited by the two-hour time restriction established in this division. Such permits shall not authorize a motor vehicle to stand or park in any place where or during any time when the stopping, standing or parking of a motor vehicle is prohibited or the area is designated for other uses.

Section 150-158. Penalties for violations.

- a. It shall be unlawful and a violation of this division for a person to furnish false information in an application for any permit authorized by this division or to represent falsely that such person is eligible for such permit.
- b. A person holding a valid parking permit issued pursuant to this division shall not allow the use or display of such permit on a vehicle other than that for which the permit was issued. Such conduct shall be unlawful and a violation of this division both by the person holding the valid permit and the person who so uses or displays the permit improperly.
- c. It shall be unlawful and a violation of this division for a person to produce or display a facsimile or counterfeit parking permit in order to evade time limitations on parking in a residential permit parking area.
- d. Violation of this section shall constitute an offense and shall be punishable as provided under section 1-8.

Recommended RESIDENTIAL PERMIT PARKING (RPP) Procedures For The City of Atlanta

REQUEST AND PETITION PROCEDURE

A request for inclusion into the residential permit-parking program must be received in writing. The requests are acceptable in any form that clearly identifies the petitioner, his/her address, and the petitioned area.

1. When a Request is Received

- Traffic and Transportation defines the Area of Influence. If there are more than one Traffic Generators, Traffic and Transportation will determine the Centroidal point of these areas. These points cannot be greater than **500 feet** apart. If this happens they will be treated as two independent entities with their own Radius of Influence.
- Traffic and Transportation sends a response letter requesting a petition

2. When An RPP Petition is Received:

- Record in a RPP log
- Assign a tracking number
- Date stamp petition

STUDY PROCESS

Conduct a 75-33 Study

The recommended study window is Tuesday – Thursday, 9:00 a.m. – 3:00 p.m., to determine the number of legal parking spaces within the study area.

1. Establish baseline conditions by performing a vehicle tag survey of the parked vehicles. This is generally conducted between the hours of 3:00am and 5:00am. (Note: The City of Atlanta has mainly Fulton and DeKalb County tags).
2. Establish hours of maximum commuter competition by conducting an 8 hour vehicular tag study and compiling residential tag data.
3. Establish that 75% of the legal parking spaces are occupied.
4. Establish that 33% of the parked vehicles are commuters.

✓

5. Verify the number of households within the Area of Influence

- a. a successful petition must represent enough signatures to constitute a 70% majority).
- b. Only one adult signature per household (a household is defined as a single family home or each individual apartment unit).

6. Perform an after study within 30 days to determine if the program has served its purpose.

Criteria for the Consideration of a Residential Parking Permit

Lack of Off-Street Parking:

- > 70% of residences lack off-street parking - 35 points
- 50% to 69% of residences lack off-street parking – 30 points
- 25% to 49% of residences lack off-street parking – 25 points
- <25% of residences lack off-street parking – 0 points

Occupied Parking Spaces:

- >80 % parking spaces occupied within the radius of influence – 30 points
- 75 % to 79% parking spaces occupied within the radius of influence – 20 points
- <75 % parking spaces occupied within the radius of influence – 0 points

Percentage of Commuters:

- >75% of parked cars are commuters – 40 points
- 50% to 74% of parked cars are commuters – 30 points
- 33% to 49% of parked cars are commuters – 25 points
- <33% of parked cars are commuters - 0 points

To consider an area for a residential permit parking program a total of at least 70 points is required.

APPROVAL PROCESS

After a block has been approved for RPP

- Compile all supporting documentation
 1. Shop order for sign work is to be submitted on a Job Order and Report Sheet Form (yellow) illustration should include both block faces.
 2. RPP 75-33 Field Study Form— Sketch of block showing non-residential land use, area of influence, any special points of interest, and sign placement, in addition to the number of households, legal spaces, and vehicle demographics
- Once the block has met all the established criteria, Traffic and Transportation recommends to the Mayor and City Council that it be included in the RPP program. After the Mayor and City Council approve the recommendation, signs are posted and residents are given the opportunity to purchase stickers.

NOTIFICATION PROCEDURE

Notify block representative (notification must be in writing)

- Prepare notification letter. This letter is usually associated with the issuance of permits as opposed to installation signs it also presents the results of the **75-33** studies and gives the resident an estimated time of inclusion if appropriate.
 1. Traffic and Transportation will forward a copy of the letter of instruction on how to obtain a permit, the scheduled enforcement date and petitions to the petition coordinator.
 2. The petition coordinator will make the appropriate number of copies and disseminate a copy to each household in the Area of Influence.

SIGN INSTALLATION

1. RPP signs should be erected 150 – 200 ft. apart, with 2 – 3 signs per block face usually sufficient.
2. Blocks with other parking restrictions (i.e. Rush hour, No Parking Specific Hours etc.) will supersede the RPP restriction and signs are often not posted, or posted for the balance of the RPP time.
3. RPP signs are only posted along sided residential property (signs posted at parks, recreation facilities or non-residential property are done at the discretion of Traffic and Transportation).

If a property has a mixed commercial/residential use, the ground level will determine its eligibility for RPP

REMOVAL OF RESIDENTIAL PARKING PERMIT DESIGNATION

- **When the research analyst receives a counter petition:**
 1. Review the petition on file for the number of households on the block.
 2. A successful counter petition must represent signatures for a 50% majority.
 3. A counter petition letter must be delivered to advise the residents that they are no longer in the program.
 4. A shop order is submitted to remove signs.
 5. The RPP parking sticker is valid until its expiration date, but can not be renewed.
 6. Once a block has successfully petitioned to be removed from the program, no other petition will be accepted for a one-year period from the date of withdrawal.
- **When removing RPP from an entire block on which there are no residences or from a portion of a RPP block:**

A 30-day notice of intent to remove RPP signs or to withdraw the RPP designation from a portion of a block must be given to the affected neighborhood coordinator. In most instances these removals are related to changes in land use and occupancy.